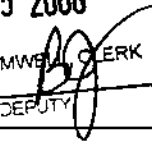


U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

OCT 15 2008

ROBERT H. SHEMWELE, CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

RESA JONES, WIFE OF/AND GREGORY
JONES, INDIVIDUALLY AND ON
BEHALF OF THEIR MINOR CHILDREN

CIVIL ACTION NO. 07-1879

VERSUS

JUDGE DONALD E. WALTER

WAL-MART STORES, MARTCART,
AARON EQUIPMENT AND CHEMICAL,
INC.

MAGISTRATE JUDGE HORNSBY

ORDER

Before this Court is a Motion for a More Definite Statement [Record Document 33], filed on behalf of cross-defendant, Assembled Products Corporation ("Assembled Products")..

Rule 8(a)(2) of the Federal Rules of Civil Procedure requires only that a claim contain "a short and plain statement of the claim showing that the pleader is entitled to relief." If a pleading is so vague and ambiguous that a party cannot reasonably be required to frame a responsive pleading, the court may order a more definite statement to be filed. Fed. R. Civ. P. 12(e). The purpose of Rule 12(e) is to provide a means of clarifying ambiguities in opposing pleadings; it is not intended as a substitute for discovery. *See Kellogg v. Great Am. Indem. Co.*, 11 F.R.D. 168, 169 (W.D. La. 1951). In the present matter, a more definite statement is not essential to permit Assembled Products to intelligently frame a responsive pleading. Any information sought by Assembled Products can be requested pursuant to Rules 26-37.

For the foregoing reasons, **IT IS HEREBY ORDERED** that the foregoing motion be **DENIED**.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 15th day of October, 2008.

A handwritten signature in black ink, appearing to read "Donald E. Walter", written over a horizontal line.

DONALD E. WALTER
UNITED STATES DISTRICT JUDGE